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U.S.D.C. Atlanta

DEC 17 2012

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

JAMES N. HATTEN, CLERK  
  
Deputy Clerk

CAROL ROMAN, )  
                        )  
Plaintiff,         )  
v.                     )      Case No. 1:12-CV-02355-JOF  
                        )  
THE HOME DEPOT, INC. )  
                        )  
Defendant.         )

**ORDER**

This matter is before the court on the parties' Joint Motion to File Under Seal and notice thereof.

The present action was brought by Plaintiff under the Fair Labor Standards Act, 20 U.S.C. § 201. *et seq* ("FLSA"). The Eleventh Circuit held in *Lynn's Food Stores, Inc. v. United States*, 679 F.2d 1350, 1352-53 (11th Cir. 1982), that there cannot be private settlement of claims under the FLSA. Rather, settlements must either be approved by the Department of Labor or the district court. Plaintiff and Defendant's Joint Motion for Approval of Settlement and Joint Stipulation of Dismissal With Prejudice requests that the court review and approve the parties' proposed settlement agreement. The court has done so, and the parties' Joint Motion for Approval is GRANTED.

On December 13, 2012, in accordance with this court's Revised Case Instructions, the parties sent to chambers a Joint Motion to File Under Seal and certain relevant documents for *in camera* review, including a proposed settlement agreement. The court GRANTS the Joint Motion to File Under Seal. The Clerk of the Court is DIRECTED to file the Settlement Agreement under seal.

The Clerk of the Court is DIRECTED to DISMISS WITH PREJUDICE this case and to terminate all pending motions and deadlines as moot, and close the file.

**DONE** and **ORDERED**, this 14<sup>th</sup> day of December, 2012.

  
\_\_\_\_\_  
J. OWEN FORRESTER  
SENIOR UNITED STATES DISTRICT JUDGE